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9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 CAPITOL SPECIALTY INSURANCE  
CORPORATION, a Wisconsin corporation,  
12 as assignee of UNITED CONSTRUCTION  
COMPANY,

13  
14 Plaintiff,

15 v.

16 STEADFAST INSURANCE COMPANY, a  
Delaware corporation; ARCH SPECIALTY  
17 INSURANCE COMPANY, a Missouri  
Corporation; and RHP MECHANICAL  
18 SYSTEMS, a Nevada corporation,

19 Defendants.  
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Case No.: 2:20-cv-1382-JAD-VCF

**ORDER GRANTING  
JOINT MOTION TO MODIFY BRIEFING  
SCHEDULE REGARDING  
STEADFAST’S MOTION TO DISMISS**

[FIRST REQUEST]

ECF No. 23

21 Plaintiff CAPITOL SPECIALTY INSURANCE CORPORATION (“Capitol Specialty”), by  
22 and through its counsel, Payne & Fears LLP, and Defendant STEADFAST INSURANCE  
23 COMPANY (“Steadfast,” and together with Capitol Specialty, the “Parties”), by and through its  
24 counsel, Morales Fierro & Reeves, jointly move this Court to extend the deadline for Capitol  
25 Specialty to oppose Steadfast’s Motion to Dismiss First Amended Complaint [ECF No. 20] (the  
26 “Motion”) filed on February 5, 2021, and for Steadfast to reply to the opposition. Specifically, the  
27 Parties request this Court move Capitol Specialty’s opposition deadline to March 9, 2021, and  
28

1 Steadfast's reply deadline to March 23, 2021. This is the Parties' first request to extend a deadline  
2 associated with Steadfast's Motion.

3 The Parties seek to extend the deadlines associated with Steadfast's Motion based on the  
4 current workloads and litigation calendars of counsel for Capitol Specialty and Steadfast.  
5 Specifically, counsel for Capitol Specialty have been preparing multiple summary judgment motions  
6 in a case that is venued in the District of Arizona. The motions are due Monday, February 15, 2021.  
7 Because this is four days prior to the opposition deadline here, i.e., Friday, February 19, 2021,  
8 counsel for Capitol Specialty request additional time to prepare opposition papers and have them  
9 reviewed and approved. Furthermore, counsel for Steadfast, among other things, recently filed a  
10 motion for partial summary judgment in another matter. The reply to the opposition to the motion is  
11 due March 8, and there is a hearing date of March 15 (though it is currently unknown if the court  
12 will request oral argument), and thus counsel is requesting the date of March 23, 2021, for the due  
13 date of the reply to the motion to dismiss. In the instant matter, the case is in a preliminary stage,  
14 Steadfast's Motion challenges Capitol Specialty's pleading, and no party will be prejudiced by the  
15 brief extension being jointly sought.

16 Accordingly, the Parties request that this Court extend the deadline for Capitol Specialty to  
17 file an opposition brief from February 19, 2021 to March 9, 2021, and that this Court likewise  
18 extend Steadfast's deadline to file a reply until March 23, 2021.

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Dated: February 10, 2021

PAYNE & FEARS LLP

By: /s/ Sarah J. Odia  
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Attorneys for Plaintiff  
 CAPITOL SPECIALTY INSURANCE  
 CORPORATION

Dated: February 10, 2021

MORALES FIERRO & REEVES


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Attorneys for Defendant  
 STEADFAST INSURANCE  
 CORPORATION

### **ORDER**

Good cause appearing, IT IS HEREBY ORDERED that the Joint Motion to Modify Briefing Schedule Regarding Steadfast's Motion to Dismiss [ECF No. 23] is **GRANTED**. The deadline for Capitol Specialty to file an opposition brief is extended to March 9, 2021, and Steadfast's deadline to file a reply is extended to March 23, 2021.

DATED: 2-16-2020

  
 JENNIFER A. DORSEY  
 UNITED STATES DISTRICT COURT JUDGE